

DOCKET NO. FST-CV15-5014808S)	SUPERIOR COURT
)	
WILLIAM A. LOMAS)	JUDICIAL DISTRICT OF
)	STAMFORD/NORWALK
Plaintiff,)	
)	
v.)	AT STAMFORD
)	
PARTNER WEALTH MANAGEMENT, LLC,)	
KEVIN G. BURNS, JAMES PRATT-HEANEY,)	
WILLIAM P. LOFTUS)	
)	APRIL 8, 2016
Defendants.		

**PLAINTIFF'S MEMORANDUM OF LAW IN FURTHER OPPOSITION TO
DEFENDANTS' MOTIONS TO ADMIT COUNSEL *PRO HAC VICE***

Plaintiff, William A. Lomas ("Lomas"), submits this further objection to the Defendants' Motion for Admission *Pro Hac Vice*.

On Friday, April 8, 2016 at 2:09 p.m., the undersigned counsel for Lomas received Defendants' Brief in Further Support of Defendants' Motions for Admission Pro Hac Vice, together with the Affidavits of Gerard P. Fox and Jeff Fuhrman. Therein, and for the first time, Defendants assert that the "longstanding personal relationship" between Attoreny Fox and Defendant Burns, includes an attorney-client relationship that has existed for the past decade. This is sandbagging, and it begs the question whether the attorney-client relationship is real.

Defendants had the burden of establishing grounds for the privilege of *pro hac vice* admission in their moving papers, and they failed to meet their burden. Connecticut Practice Book Section 2-16 requires a showing of good cause for admission. Attorney Fox stated, "good cause exists to grant this motion because Attorney Fox has a longstanding personal relationship with defendant Kevin G. Burns, which predates this matter..." Attorney Fox's Motion, ¶ 3. The accompanying affidavit stated the same. Attorney Fox's Affidavit, ¶ 10. Nowhere in their moving papers or affidavit was there any mention of an attorney-client relationship.

The late filed Brief In Further Support of Defendants’ Motions for Admission *Pro Hac Vice* still fails to specify how PWM’s engagement of Attorney Fox with regard to “various corporate matters for which he [has] advise[d] PWM and the Individual Defendants” has any bearing on this case or creates “good cause.” Defendants’ Brief at p. 5. Likewise, Attorney Fox’s statement that “Defendant Burns has consulted with him on legal matters for the past decade” lacks specificity as to whether Attorney Fox was actually engaged as counsel, or simply had conversations with Mr. Burns in passing in the context of their long-standing personal relationship. Certainly, no effort has been made to demonstrate a nexus between those conversations and any issue in this lawsuit. Nor is there any indication that Attorney Fox’s knowledge of corporate law issues will have any bearing on this litigation. All of these assertions fail to meet the good cause standard provided in Practice Book Section 2-16 as they fail to present facts or circumstances affecting the personal or financial welfare of the Defendants; fail to demonstrate a longstanding attorney-client relationship; and fail to demonstrate that Attorney Fox has specialized skill or knowledge *with respect to Defendants’ affairs* that are important to the trial of this case.

For the foregoing reasons, Lomas submits that Defendants have failed to establish the requisite good cause to support *pro hac vice* admission. Accordingly, Lomas respectfully requests that the Court deny Defendants’ Motions for Admission *Pro Hac Vice*.

Dated: April 8, 2016
Hartford, Connecticut

PLAINTIFF,
WILLIAM A. LOMAS

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CERTIFICATE OF SERVICE

This is to certify that on April 8, 2016, a copy of the foregoing was served by e-mail and first class mail, postage prepaid, to all counsel of record as follows:

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